

The Examiner indicated that claims 5-7 and 9-11 would be allowable if written in independent form.

Claims 1, 2, 4-11, 18-20, 23 and 24 are here presented for reconsideration.

#### REMARKS

The cancellation of claim 21 renders moot all rejections of it.

Applicants request reconsideration of the rejections under 35 USC 112, second paragraph, for the reasons that follow.

Applicants believe that claim 4 is the only claim that recites "hydrocarbyl". Therefore, Applicants request withdrawal of the rejection of any other claim on this basis.

Claim 4 utilizes the expression "hydrocarbyl" which is objected to by the Examiner. However, the definition for hydrocarbyl is included in the claim. The Examiner does not assert that one of ordinary skill in the art would be unable to understand the metes and bounds of claim 4. Instead, the Examiner apparently contends that the definition of "hydrocarbyl" provided in claim 4 violates the normal meaning of the term "hydrocarbon" because it permits substitution of a carbon atom with certain heteroatoms. Applicants assert that one of skill in the art is readily able to understand the metes and bounds of claim 4 - whether they consider the definition hydrocarbyl to be proper or not. This is all that is required to conform to the requirements of 35 USC 112, second paragraph. Therefore, the rejection on this basis is improper. Accordingly, Applicants request withdrawal of this rejection.


Applicants have reviewed claim 20 and do not see any mention of R<sub>4</sub> or R<sub>5</sub>. Therefore, Applicants assert that this basis for rejecting claim 20 has no merit and request withdrawal of the rejection.

Applicants request withdrawal of all rejections under 35 USC 112 for the reasons discussed above.

Entry of this amendment and reconsideration and allowance of the claims is respectfully requested.

Respectfully submitted,

Novartis  
Corporate Intellectual Property  
One Health Plaza, Building 430  
East Hanover, NJ 07936-1080

  
John D. Thallemer  
Attorney for Applicants  
Reg. No. 34,940  
(862) 778-7945

Date: May 27, 2003